



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,867	08/18/2006	Srikanth Venkatachari	3502-1109	3778

466 7590 07/21/2010
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER

STIMPERT, PHILIP EARL

ART UNIT	PAPER NUMBER
----------	--------------

3746

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

07/21/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Response to Arguments

1. Applicant's arguments, see page 10, filed 1 July 2010, with respect to the informality noted in claim 1 and the indefiniteness of claim 12 have been fully considered and are persuasive. The objection to claim 1 and the rejection of claim 12 have been withdrawn.
2. Applicant's remaining arguments have been fully considered but they are not persuasive.
3. The applicant has presented several arguments regarding the teachings of Rishel as applied in the rejection.
4. First, the applicant noted that the embodiment of Fig. 1 of Rishel utilizes pumps which run on line voltage and are thus not capable of speed adjustment for efficiency's sake. This argument is unpersuasive because, as the applicant has noted, the remaining embodiments of Rishel deal with variable speed pumps which do have such a capability.
5. Second, the applicant argues that Rishel teaches energizing and de-energizing pumps, and teaches varying pumping speed rather than selecting a single speed. As indicated in the rejection, the base reference, Struthers, teaches selecting a single "standard speed". What Rishel teaches is a method of determining efficiency which is defined by amount of fluid moved per amount of energy consumed, as claimed. When this teaching, along with the knowledge of those skilled in the art that efficiency is generally desirable for reasons of cost at least, one of ordinary skill would be motivated

Art Unit: 3746

to determine the standard speed of Struthers so as to maximize efficiency. Such a determination would result in the claimed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Stimpert whose telephone number is (571)270-1890. The examiner can normally be reached on Mon-Fri 7:30AM-4:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/
Supervisory Patent Examiner, Art
Unit 3746

/P. S./
Examiner, Art Unit 3746
12 July 2010